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Human Trafficking and Local Law Enforcement

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Abstract:

“To protect our kids, we’ve given law enforcement new tools to fight human trafficking (Brett Guthrie).” Though Brett’s hopeful sentiment portrays a police force that is ready to battle the epidemic of modern day slavery, research has shown that local officers are sorely uneducated on the subject. The main focus of this paper is the link between the prevalence of human trafficking in the U.S. and the lack of local law enforcement training on the issue. The first section will be a brief overview of human trafficking, defining and discussing a few relevant details about it first. Next, I will define the specific issue and how it relates to local law enforcement. Lastly, two possible solutions to the problem will be described.

Overview of Trafficking:

Human trafficking, “The recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper purpose including forced labor or sexual exploitation (National Institute of Justice),” is categorized into two types, sex and labor. When the subject of human trafficking is brought up, most people think about the 2008 *Taken* (Pierre Morel) film and limit their perspective to sex trafficking, “A form of modern-day slavery in which individuals perform commercial sex through the use of force, fraud, or coercion (National Human Trafficking Hotline).” While sex trafficking is a heinous crime that is rampantly occurring in the U.S., labor trafficking, “a form of modern-day slavery in which individuals perform labor or services through the use of force, fraud, or coercion (National Human Trafficking Hotline),” is more prevalent.

Another common misconception about human trafficking is the rate at which it occurs in the U.S.. Being a leading nation in human trafficking, America's city of Toledo is ranked fourth for its trafficking rates (Cordray, pg. 195), and has been identified by several other agencies as a hub for foreign and domestic traffickers/victims.

Next, the methods of recruitment are an important factor to understand. Every victim comes from a unique background, and they enter trafficking rings through different situations. However, research has been able to identify three common methods that pimps use to recruit (especially minors) into human trafficking. The first, but least common, method is called guerilla pimping. This involves the use of physical force or coercion to persuade victims into their trafficking ring. The second style of pimping, finesse, is the most common. Finesse pimping often begins with an older male taking advantage of a young, usually poor, female and buying her material goods. The pimp often takes the role of a boyfriend and eventually uses his influence over the victim as leverage to traffick the child (usually for sex). The last method of pimping is peer initiation. This style involves the pimp's use of victims who are already in the trafficking ring to convince their peers to join. This method is outline as being very effective because a friend talking to their peer does not raise as many red flags as an older man dating a minor (Williamson and Prior. Pg 51).

Lastly, understanding the characteristics of at risk individuals is relevant to this research paper. Since middle school children are the average age of sex trafficking victims (Perdue, et al. pg. 450), the lens to look through when recognizing human trafficking is for young adults/children. The majority of these youth that are brought into human trafficking are

unwillingly victimized because of their economic status. The most at risk youth population are homeless minors needing shelter, food, etc.

Specific Problem:

As outlined by the research stated previously, human trafficking is a very real problem in the U.S.. How can a nation with the longest, successfully operating democracy that prizes freedom and equality house such a high amount of modern day slavery? The answer is simple. Local law enforcement are not trained on how to recognize or handle human trafficking situations. Throughout the research, authors stated that very few local police departments conducted any type of human trafficking training.

Discussion (relevancy to local law enforcement):

While conducting research for this paper, many studies pointed to local law enforcement as being a leading asset in the fight against human trafficking. Because of their role as a first responder and their direct link to the criminal justice system, local officers were identified as often being the first government officials to deal with a trafficking situation. This fact, despite the lack of training, is recognized by officers, and many have stated that they know human trafficking is major issue in their area. In fact, one study reported that 100 percent of participants (all officers) checked that human trafficking was “currently an issue for local police agencies (Kleuber et al. pg 154).” Despite this, less than ten percent of agencies reported that they conducted investigations of possible trafficking (Bennett and Grubb, pg. 494).

Another trend in the research that relates to local law enforcement’s lack of human trafficking awareness is its misidentification. For example, one study that conducted interviews with officers stated that, “When asked to define human trafficking, many officers provided

definitions in conflict with their state's human trafficking laws (Farrell et al., pg. 316).” This mislabelling of trafficking goes hand in hand with officers mistaking trafficking for voluntary prostitution. Given that officers are typically well versed in the identification of and law pertaining to prostitution, many trafficking cases go misreported as prostitution (Farrell et al.).

Given the nature of human trafficking, victims are often transported across state boundaries, making jurisdiction a tricky obstacle. Because of this, many local police departments divert their trafficking efforts to state or federal level agencies, like the FBI. This can be an effective means to deal with a trafficking situation after it has been detected. However, relying on these higher level agencies to be the forefront of the battle against trafficking has, in part, prevented the implementation of a training curriculum for local officers. Local law enforcement are still the first responders that are most likely to detect trafficking.

Before leading in to suggested solutions to this problem of a lack of training, it is important to understand why local police (as first responders) should receive more education on human trafficking. Beyond the significance of simply detecting trafficking, officers hold an important role in the reporting/prosecution aspect of this crime. Local level officers must be trained on how to detect the warning signs of trafficking because their reports carry the most weight in the criminal justice system. Given the fact that law enforcement are directly tied to the criminal justice system, it makes sense that when an officer reports a possible trafficking case, the court is significantly more likely to prosecute and convict the defendant. This fact holds true when compared to victim or third party reports as well. Whether or not this is a legitimate way to operate, it is the reality of the current system, and it underlines the significance of local law enforcement's role in human trafficking.

Suggested solution(s):

For the honors project, I taught an anti human trafficking course to a crime prevention class at BGSU. Most of these students reflected aspirations to become local level law enforcement officers, so I was able to discuss the relevance of trafficking to a fitting audience. After defining human trafficking and describing how it was relevant to local officers, I opened up the discussion to allow for the class to create an idea for how to better educate this population of law enforcement. Falling in line with the ideas that I was planning on discussing in this section, the class suggested two different ways to train local law enforcement about human trafficking. First, is to implement a curriculum in the police academy that centers on effective prevention, detection and reporting strategies for trafficking. The second idea is to implement a top down approach, and instruct the agency heads/chiefs about trafficking.

The first idea would ensure that all up and coming law enforcement are adequately trained on how to deal with trafficking situations. This method assumes a bottom up style of training, beginning with the newest officers and hoping the training will catch on higher up in the ranks. This idea would counter the issue of the many misconceptions about trafficking that are currently plaguing law enforcement. Plus, the new officers (who are most often on the night shift) are on patrol at peak times, so they are more likely to be confronted with trafficking cases. The one major drawback to this idea was identified as being the cost and difficulty in mandating academies to adopt a new program. Though funds could be requested through the Bureau of Justice Assistance (BJA) to jumpstart the program, these funds are temporary and would not support the long-run of this program. The other drawback relates to the task of getting academies to adopt this new curriculum. Many law enforcement academies have a system that they have

been using for a long time, and asking them to add new material could be met with resistance. Also, passing legislation to adopt a human trafficking training program that would extend to all local police academies would be extremely difficult.

The second idea is to implement a top down strategy, conducting a mandatory training seminar for all high level law enforcement officials. This method relies on the police chiefs to distribute the information (or bring in a local expert to teach a class) on human trafficking. The other side to this idea relates to the enforcement of the training. If chiefs are properly educated on human trafficking, they will hopefully ensure that their officers are conducting thorough investigations and are effectively applying the human trafficking training. A branch off this idea was to require officers to report all cases of suspected human trafficking. Because of broadly used police discretion, many trafficking cases go unreported (or misreported as prostitution). Mandatory reporting of trafficking might help eliminate this problem. However, this idea can only be enforced if the officers' leadership are on board with the legislation. The cost of this program was not identified as a barrier because the BJA funds would be able to cover the limited cost of the seminar(s). However, the one major drawback to this idea was the possibility of bad leadership among head law enforcement. If an high ranking law enforcement officer attends the seminar simply because it is mandated and refuses to participate in the initiative, he/she will most likely fail to bring valuable information back to the local officers. This defeats the purpose of the top down approach.

Conclusion:

Human trafficking is a heinous crime that occurs close to home for most Americans today. Despite its prevalence, the agency that deals the most intimately with this issue is not

trained on how to prevent, detect or report trafficking. Local law enforcement remains uneducated on this topic, and this attributes to the high number of trafficking cases that go undetected. In order to effectively battle modern slavery, law enforcement must be educated, and supervisors should ensure their officers are effectively applying the trafficking training and reporting all suspected incidents. The only way to effect a change in the human trafficking epidemic is through awareness among local police officers.

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